

1  
2  
3  
4 PAUL MULA, JR.,  
5 Plaintiff,  
6 v.  
7 HELENE MULA-STOUKY, et al.,  
8 Defendants.

9 Case No. 21-cv-04540-BLF  
10  
11  
12  
13  
14

**ORDER DENYING DEFENDANTS'  
MOTION TO REVOKE *PRO HAC VICE*  
STATUS OF GERALD NORTH**

[Re: ECF 87]

15  
16 This order addresses the Stouky Defendants' motion to revoke the *pro hac vice* status of  
17 Plaintiff Paul Mula, Jr.'s counsel, Gerald North, which is joined by Defendants Terry Campbell  
18 Wallace and Kristofer Biorn. The motion is opposed by Plaintiff. The Court previously vacated  
19 the hearing on the motion that had been scheduled for July 21, 2022. *See* Order Submitting Mot.,  
20 ECF 149. The motion is DENIED for the reasons discussed below.

21 Under this Court's Civil Local Rules, the judge assigned to the case has discretion to  
22 accept or reject an attorney's application for admission *pro hac vice*. *See* Civ. L.R. 11-3(d). The  
23 judge may grant *pro hac vice* status to an attorney who is not a member of the bar of this court if  
24 the attorney "is an active member in good standing of the bar of a United States Court or of the  
25 highest court of another state or the District of Columbia," and the attorney submits a sworn  
26 statement containing certain required information. Civ. L.R. 11-3(a). The information that must  
27 be included in the sworn statement includes the attorney's agreement to abide by the applicable  
28 Standards of Professional conduct, identification of local co-counsel, and the number of times the

United States District Court  
Northern District of California

1 attorney has been granted *pro hac vice* admission in the district within the twelve months  
2 preceding the application. *See id.* An attorney is disqualified from *pro hac vice* admission if the  
3 attorney resides in California or is regularly engaged in the practice of law in California, absent  
4 authorization by an Act of Congress or court order. *See Civ. L.R. 11-3(c).*

5 Mr. North was granted *pro hac vice* status by this Court after he submitted an application  
6 satisfying the above requirements, along with a Certificate of Good Standing to practice in the  
7 United States Court of Appeals for the Ninth Circuit. *See Order Granting Applic.*, ECF 83.  
8 Defendants urge the Court to exercise its discretion to revoke Mr. North's *pro hac vice* admission  
9 based on his record of discipline, suspension, and inactive state bar membership. Defendants cite  
10 the Ninth Circuit's decision in *Bundy*, which holds that "[w]here an out-of-state attorney suggests  
11 through his behavior that he will not abide by the court's rules and practices, the district court may  
12 reject his *pro hac vice* application." *In re Bundy*, 840 F.3d 1034, 1042 (9th Cir. 2016). In  
13 response, Mr. North represents that the disciplinary proceedings referenced by Defendants  
14 terminated in 2001 and 2005. Having considered the parties' submissions, and performed an  
15 independent search of Mr. North's bar records in the state of Iowa, the Court declines to revoke  
16 Mr. North's *pro hac vice* status.

17 Defendants' motion to revoke the *pro hac vice* status of Mr. North is DENIED.  
18

19 Dated: August 15, 2022

20   
21 BETH LABSON FREEMAN  
United States District Judge

22  
23  
24  
25  
26  
27  
28